

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FILED
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CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

Case No. 8:03-CR-77-T-30TBM

HATIM NAJI FARIZ
_____ /

MOTION FOR EXTENSION OF TIME IN WHICH TO APPEAL THE
MAGISTRATE JUDGE'S ORDER DENYING IN PART
MR. FARIZ'S MOTION TO COMPEL
PRODUCTION OF ENGLISH-LANGUAGE TRANSCRIPTS

Defendant, HATIM NAJI FARIZ, by and through undersigned counsel, and pursuant to Federal Rule of Criminal Procedure 45(b), respectfully requests that this Honorable Court grant an extension through February 20, 2004, to file an appeal of the Magistrate Judge's order granting in part and denying in part his Motion to Compel Production of English-Language Transcripts. As grounds for support, Mr. Fariz states:

1. On January 8, 2004, Mr. Fariz filed his Motion to Compel Production of English-Language Transcripts in this case with the Magistrate Judge.
2. On January 22, 2004, the Magistrate Judge conducted a discovery conference among all the parties, during which extensive oral argument on the above referenced motion was heard.
3. On January 30, 2004, the Magistrate Judge issued an order granting in part and denying in part Mr. Fariz's motion.

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4. Any appeal of the Magistrate Judge's order is due on Friday, February 13, 2004. However, despite the fact that Mr. Fariz ordered, on an expedited basis, a transcript of the January 22, 2004 discovery conference in contemplation of appealing the January 30, 2004 order, he did not receive the transcript until February 11, 2004.

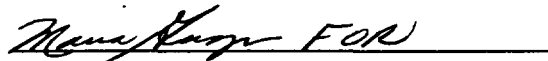
5. Therefore, in light of the circumstances, Mr. Fariz respectfully requests that the Court grant an extension of one week - to February 20, 2004 - to file any appeal of the Magistrate Judge's January 30, 2004 order.

WHEREFORE, Defendant, Hatim Naji Fariz, respectfully requests an extension of time in which to file an appeal of the Magistrate Judge's order denying in part Mr. Fariz's Motion to Compel Production of English-Language Transcripts.

Respectfully submitted,

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CERTIFICATE OF SERVICE


I hereby certify that on this ____ day of February, 2004, a copy of the foregoing has been furnished by hand delivery to Walter E. Furr, Assistant United States Attorney, United States Attorney's Office, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602 and by U.S. Mail to the following:

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